

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

VIKKI CASH,

Plaintiff,

-vs-

04-CV-0182-JTC(JJM)

COUNTY OF ERIE,
SHERIFF PATRICK GALLIVAN,
MARCHON C. HAMILTON,

Defendants.

By order entered September 2, 2009 (Item 137), the above-referenced case was referred to United States Magistrate Judge Jeremiah J. McCarthy, Jr., pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), to hear and report upon plaintiff's motion for default judgment against defendant Marchon Hamilton. On September 4, 2009, Magistrate Judge McCarthy filed a Report and Recommendation (Item 138), recommending that plaintiff's motion be granted, and that default judgment be entered against defendant Hamilton in the amount of \$650,000, consisting of \$500,000 in compensatory damages and \$150,000 in punitive damages.

Having carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, plaintiff's motion for default judgment (Item 129) is granted, and the Clerk of Court is directed to enter judgment against

defendant Hamilton in the amount of \$650,000, consisting of \$500,000 in compensatory damages and \$150,000 in punitive damages.

So ordered.

\s\ John T. Curtin
JOHN T. CURTIN
United States District Judge

Dated: 9/29, 2009
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